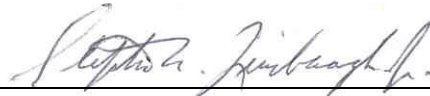


Plaintiffs filed a motion for a protective order on December 14, 2017 seeking to prohibit the taking to depositions noticed by defendants (#38). While this matter was being briefed, Bayer sent notices cancelling the depositions because they have been postponed by order of a California Superior Court in Alameda County and the United States District Court in the Eastern District of Pennsylvania. Plaintiffs argue in their reply memorandum that the Bayer Defendants have waived their personal jurisdiction defense in this case because they are actively pursuing other defenses that require this Court to have personal jurisdiction. That matter has been briefed as part of the parties' briefing on plaintiffs' motion to remand. Thus, to the extent plaintiffs seek an order from the Court regarding that waiver, the Court declines to rule on that matter with respect to this motion.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs' motion for a protective order (#38) is
DENIED as moot.

Dated this 9th day of January, 2018.

A handwritten signature in black ink, reading "Stephen N. Limbaugh, Jr.", is written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE